

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-73-T - ORDER NO. 2004-214

APRIL 21, 2004

IN RE: Application of Minute Man Movers, LLC, 310 ) ORDER GRANTING  
Ivy Green Lane, Irmo, SC 29063 (District 2) ) PETITION TO  
for a Class E Certificate of Public Convenience ) INTERVENE  
and Necessity ) OUT OF TIME

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of a Petition to Intervene Out of Time (Petition) filed by McCoy's Moving & Storage Co., Inc. ("McCoy's") in the above-captioned proceeding. The present proceeding before the Commission was established upon the filing of an Application by Minute Man Movers, LLC ("Minute Man Movers") for a Class E Certificate of Public Convenience and Necessity authorizing Minute Man Movers to transport commodities between points and places in Richland, Lexington, and Kershaw Counties, South Carolina.

Upon receipt of Minute Man Movers' Application, the Commission's Executive Director instructed Minute Man Movers to publish a prepared Notice of Filing and Hearing regarding its Application in newspaper(s) of general circulation in the service are desired. The purpose of the Notice of Filing and Hearing was to inform interested parties of the Application of Minute Man Movers, of the manner and time in which to file the appropriate pleadings for participation in the proceeding, and of the date and time for the hearing on the Application. Minute Man Movers complied with this instruction and

provided the Commission with proof of publication of the Notice of Filing and Hearing. In the present case, pleadings to intervene in the proceeding were to be filed on or before March 30, 2004, and the hearing was scheduled for April 22, 2004, at 10:30 a.m.

On April 12, 2004, Karen M. Bowers of McCoy's filed a Petition to Intervene Out of Time by which McCoy's seeks to intervene in the proceeding with full rights to participate as a party of record. In its Petition, McCoy's asserts that Minute Man Movers present application for authority to transport commodities covers the same service area as McCoy's is authorized to cover. McCoy's states its belief that there are currently a sufficient number of carriers serving the same area as the area Minute Man Movers desires to serve and that granting any further Certificates of Public Convenience and Necessity is not warranted or necessary. Additionally, McCoy's maintains that granting the certificate to Minute Man Movers would depreciate the market and abate the investment of established carriers.

As reasoning for petitioning to intervene out of time, McCoy's states that it was simply due to human error by McCoy's mistaking the hearing date as the date to petition to intervene in the proceeding.

Based upon the foregoing, the Commission finds and concludes that:

1. McCoy's Moving & Storage Co., Inc's Petition to Intervene Out of Time should be granted as McCoy's has provided sufficient reasoning for it to become a formal party of record. Further, the Commission discerns no prejudice to any party by granting McCoy's Petition to Intervene Out of Time.

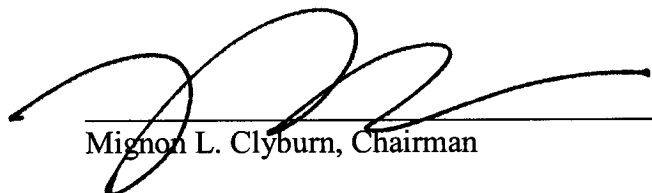
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2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



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Mignon L. Clyburn, Chairman

ATTEST:



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Bruce F. Duke, Executive Director

(SEAL)